

PC 12/11/14
#3
14 pages

Lori G. London
ATTORNEY AT LAW
1169 SKI RUN BLVD., #3
SOUTH LAKE TAHOE, CALIFORNIA 96150

TELEPHONE (530) 544-2509 FAX (530) 544-5210
November 16, 2014

NOV 19 2014
RECEIVED
PLACERVILLE

El Dorado County Planning Commission
2850 Fair Lane Court
Placerville, CA 95667

RE: Special Use Permit, S14-0009. Cell Tower, Skyline Dr., S. Lake Tahoe, cA

Dear Planning Commission,

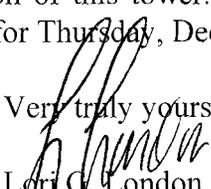
I am the property/home owner of 1691 Skyline Dr., South Lake Tahoe, California. My home is located next door to 1697 Skyline Drive, South Lake Tahoe, California which is the proposed site of the cell tower requested by AT&T. I am strongly opposed to the installation of this tower.

My reasons for opposing the installation of this tower include but are not limited to the following:

- 1) The installation of the tower is inconsistent with the purpose of the subdivision which is that of a residential neighborhood.
- 2) Known and unknown long terms health concerns for children and adults due to close and continuous exposure to transmissions, emissions and or other effects that may result from the use of the cell tower.
- 3) Quality of life concerns including aesthetics, increased vehicular activity due to the presence of work vehicles and work persons and other effects unknown at this time that are a result of the inconsistent purpose of the tower in our residential neighborhood
- 4) Decrease in property value as a result of a commercial enterprise being located in and around residential property

These same issues were presented to the TRPA governing board in 2007. The only difference in that circumstance and this is the location. The current location is 30 yards from the previous proposed location. And, this installation is a completely new tower whereas the other installation proposed was the cell tower being mounted on an existing installation. Many members of our neighborhood appeared at the TRPA board meeting held In April 2007 regarding that project and opposed the installation. The board refused the application. A copy of the Order of Denial (6/26/07) is attached.

I am requesting you deny the installation of this tower. I will be appearing at the Planning Commission hearing currently scheduled for Thursday, December 11, 2014.

Very truly yours,

Lori G. London
Attorney at Law

TAHOE REGIONAL PLANNING AGENCY

128 Market Street
Stateline, Nevada
www.trpa.org

P.O.Box 5310
Stateline, Nevada 89449-5310

Phone: (775) 588-4547
Fax (775) 588-4527
Email: trpa@trpa.org

**BEFORE THE
TAHOE REGIONAL PLANNING AGENCY
GOVERNING BOARD**

In the Matter of the Application of)
Verizon Wireless)
For a Cellular Tower Replacement/Expansion)
)

**ORDER OF DENIAL
File No. 20051580**

On November 10, 2005, Verizon Wireless filed an application with the Tahoe Regional Planning Agency (TRPA) to construct a 95-foot lattice tower (99 feet total with antennae panels) with 12 wireless communication antennae panels and two microwave dish antennae at 1705 Skyline Drive, South Lake Tahoe, California. Verizon's proposal also included the installation of associated ground equipment and two 5-ton air conditioning units under the front porch and within the garage of the existing single family dwelling on the project site.

The project parcel is located in a residential neighborhood on Skyline Drive in Meyers, El Dorado County within Plan Area 120 - Tahoe Paradise Meadowvale. At the time of application, the site was owned by Rich Nicola, but Verizon has since acquired ownership of the site.

The proposed tower would replace and substantially expand an existing 54-foot lattice antenna tower currently on the site. TRPA approved the current tower in 1983 to support satellite dish antennae. Use of the tower has been discontinued for some time. The new tower would be built within the footprint of the existing tower.

In addition to the tower that will be replaced, the site also hosts a 98 foot monopole. The monopole was approved by TRPA and built in 1994 to provide a necessary beacon site for the nearby airport. Use of the monopole was expanded to include wireless antennae in 1997. In 2002, TRPA approved installation of two additional sets of wireless antennae on the monopole. One of the sets was installed, but installation of the other set, which required expansion of the monopole to 104-106 feet, was never constructed. The approval has since expired. The monopole may, therefore, have capacity for wireless service at the site.

The TRPA Hearing Officer held a hearing on the application on January 11, 2007. A number of neighboring property owners attended the meeting and expressed concern

over the project. Residents specifically raised concerns regarding, among others, the curb appeal of the neighborhood, property values, increased noise from the air conditioning units, and potential interference with the existing airport beacon on the property. TRPA also received several comment letters from area residents expressing similar concern over the project including, but not limited to, concerns over the expansion and inducement of non-residential uses in a residential-area, the additional height that would be associated with the new tower; the decrease in property values, visual impacts and the present and potential future deleterious impacts on the neighborhood's residential character. Consistent with standard TRPA practice, due to the significant public controversy surrounding the application, the Hearing Officer deferred the project to the TRPA Governing Board for a final decision.

The TRPA Governing Board heard the project application on April 25, 2007. Many members of the public were again in attendance at the meeting and expressed their concerns with the project. The concerns again included aesthetic and scenic impacts, increased noise, changes in the residential character of the neighborhood, property values, access issues, inducement impacts, cumulative impacts, and health and safety concerns. At the conclusion of the hearing, the Governing Board unanimously voted to deny the project.

Based on the evidence in the record, the TRPA Governing Board now hereby makes and enters the following written findings and conclusions as required by the Federal Telecommunications Act of 1996 and in conformance with TRPA's Code of Ordinances (Code).

1. The project is located within Plan Area 120 - Tahoe Paradise Meadowvale. Under the Plan Area Statement, adopted in 1987, the land use classification is residential and the management strategy is mitigation. The proposed use, transmission and receiving facilities, is listed as a special use within the Plan Area.
2. TRPA approved the current lattice tower on the site, which would be replaced by the proposed tower, in 1983 prior to adoption of the Plan Area Statement and prior to TRPA's adoption of the 1987 Regional Plan and implementing Code. The existing tower was not, therefore, subject to approval as a special use pursuant to the Plan Area Statement or TRPA's current required findings.
3. The current proposed project does not meet the findings required by TRPA's Code, Chapters 6, 18, 22 and 33.
4. The proposed project represents a significant intensification of the existing use, which is not appropriate or consistent with the surrounding residential area and, therefore, not in conformance with TRPA's Code §§ 6.3.A(1) and 18.1.B. The site currently hosts two non-residential uses – the existing tower that will be replaced and the airport beacon monopole. The existing tower was approved prior to adoption of TRPA's present Regional Plan and Code. The tower has been

out of service for years and has, therefore, generated minimal associated non-residential impacts (e.g. traffic, noise, etc). TRPA approved the existing monopole on the site for an airport beacon – required under federal and state law for the operation of the airport. TRPA’s approval of the wireless antennae on the existing monopole did not require the construction of a new or substantially expanded structure that would have represented an intensification of the existing use. Construction of the proposed additional, larger tower would represent a significant growth inducing change on the site, allowing for up to twelve new wireless antennae and the operation of an unknown number of potential wireless service providers. This increase in use represents an impermissible intensification of non-residential uses in a residential neighborhood and presents potentially significant cumulative impacts, inconsistent with and beyond the existing use of the site.

5. The intensification of use from Verizon’s proposal alone will result in increased traffic, noise, and aesthetic (height and mass) impacts. Furthermore, the construction of the proposed new cellular tower could induce similar future proposals resulting in additional potentially significant cumulative impacts in the area. Both the present and future cumulative impacts will intrude into the residential character of the neighborhood, directly harm the ability of neighboring property owners to use and enjoy their properties, and be injurious to the general welfare of residents in the neighborhood in violation of TRPA Code § 18.1.B. Many people living in the vicinity attended the Board meeting and expressed overwhelming opposition to the project for these reasons.
6. The project applicant indicated that access to the site would be across the subject parcel via an easement and existing driveway located entirely within the parcel boundary. Substantial questions were raised during the hearing regarding the existence and use of illegal access to the site across the neighboring property.
7. The existing monopole tower on the site is shorter than the tower currently proposed by Verizon. Wireless antennae have been constructed on the existing monopole at varying heights between 75-98 feet. The most recent antennae installed on the tower were approved in 2002 for installation at 75 feet. Verizon did not provide any evidence that a lower height would not be sufficient for its proposed antennae, nor has it indicated that the height of the proposed structure is the minimum height necessary to implement the project as required by TRPA Code § 22.6. Because Verizon has failed to establish that the proposed height of the tower is necessary for the project, it has also failed to establish that the project is an appropriate use of the parcel or that the project is consistent with and will not adversely affect TRPA’s implementation of the Regional Plan, Goals and Policies, and the applicable Plan Area Statement as required by TRPA Code § § 18.1.B(1) and 6.3.A(1).
8. The record does not include sufficient evidence to demonstrate a need for the project. The project applicant asserted that there is poor cellular service in the

area, but did not provide supporting evidence that a gap in service exists in the area or, if a gap exists, the extent of any such gap. The record does not indicate that Verizon performed any tests, such as propagation maps, switch data, call test data, or drive tests, to assess the existing service coverage in the area. The project applicant has not, therefore, established the need for an additional cellular facility in the area as required by TRPA Code § 33.5.A. Nor has Verizon established that the project is an appropriate use for the parcel or that the project is consistent with TRPA's Regional Plan, Goals and Policies, and the applicable Plan Area Statement as required by TRPA § § 18.1.B(1) and 6.3.A(1).

9. The project applicant represented that the proposed location is the best site for the project, but provided no comparative analysis of other potential sites. Further, the applicant indicated that the existing monopole on the site would not provide sufficient mounting height because the existing users occupy the upper portion of the monopole. The record is unclear regarding the lack of monopole capacity; the last six wireless antennae TRPA approved for the monopole were never constructed. The applicant also indicated that it considered commercial sites closer to Highway 50, but rejected those sites because the scenic impacts would be greater along the Highway 50 scenic corridor and would provide inferior service due to the topography of the area. The record does not contain any details regarding the other sites Verizon considered, its analysis of those sites, the basis upon which the sites were compared (e.g., technological feasibility, community impacts, etc), if at all, or other supporting documentation and information. Nor does it appear that Verizon considered a broad range of alternative sites or options, including the possibility of using the current monopole. Verizon's analysis of alternative sites is, therefore, insufficient to establish a need for the additional tower at this site as required by TRPA's Code § § 18.1.B(1) and 33.5.A. It was similarly insufficient to demonstrate that Verizon made a substantial effort to locate alternative sites for the proposed project or that the proposed project is the least intrusive means for the applicant to improve its service in the area. Nor has Verizon established that the proposed project is an appropriate use for the parcel or that the project is consistent with TRPA's Regional Plan, Goals and Policies, and the applicable Plan Area Statement as required by TRPA Code § § 18.1.B(1) and 6.3.A(1).
10. The record provides no basis to suggest that the Board's decision to deny the proposal has unreasonably discriminated against the applicant in favor of providers of functionally equivalent services, limited or prohibited access to wireless telecommunication services in the geographic area of the proposed project, or prevents the filling of a significant gap in the wireless service provided by Verizon.
11. Some members of the public expressed concern about radio frequency emissions and the potential for associated adverse health impacts from the proposed project. The Governing Board heard and reviewed all such comments. The record is clear that the proposed facility complies with the Federal Communications Commission

safety standards for exposure to radio frequency emissions. The Board's decision to deny the project is based on the reasons and record supporting ¶¶ 1-10 above and not on the public's concern regarding radio frequency emissions.

Based on the foregoing, Verizon's application for the construction of transmission and receiving facilities at 1705 Skyline Drive, South Lake Tahoe, California (File No. 2005-1580) is **DENIED**.

It is so **ORDERED**.



Julie Motamedi, Chair TRPA Governing Board

6/26/2007

DATE

complete administrative record to approve project B subject to the attached Draft Permits.

Voted Yes: Ms. Bresnick, Ms. Aldean, Mr. Lawrence, Mr. Merrill, Mr. Waldie, Mr. Galloway, Mr. Miller, Ms. Motamedi, Ms. Santiago, Mr. Ruthe, Ms. Moss, Mr. Swobe, Mr. Kranz, Mr. Weber

Motion carried unanimously.

- B. Verizon Wireless/Nicola, Cellular Tower Replacement/Expansion, 1705 Skyline Drive, El Dorado County, Assessor's Parcel Number 34-771-01, File No. 20051580

Staff member Theresa Avance presented the proposed replacement/expansion of the Verizon Wireless/Nicola, Cellular Tower.

Mr. Galloway recused himself from voting as he has an office building in Reno, NV that he rents to Verizon for the lease of that space.

Public Comment:

Laurie London lives two houses down from the proposed tower and does not support the project because of impacts to the neighborhood and community and concerns regarding health and safety.

Joe Hays does not support the project because of concerns over the health impacts of radio frequency emissions.

Mark Royer, Real Estate Broker, lives in this neighborhood and is opposed to the project because of scenic impacts, impacts to property values in the neighborhood, and health and safety concerns.

Phil Cianci lives directly next door and is opposed to the project because of impacts to the character of the neighborhood, noise impacts, health and safety concerns, and issues with access across his property.

Jon Paul lives on Skyline Drive and does not support the project because findings number 5 and 9 cannot be made. He is specifically concerned about the project being injurious to the residential character of the neighborhood, scenic impacts, safety issues due to truck traffic and aesthetic blight.

Steven Havill, business owner and resident of the West Shore, does not support the project because change in residential character of the area and health and safety concerns.

Mike Fahnstock, resident, stated that he does not support the project because of health and safety concerns and potential impacts to this family.

Tom Hintz, lives on Skyline Drive, and does not support the project because of safety and energy issues, specifically the increased fire hazard the project will present because of the increase in equipment and energy usage at the site.

Erin Merrill representing Verizon Wireless stated that there is a huge concern on the proliferation of towers. What was attractive to this parcel is that there is currently a structure already there and from their history of dealing with different jurisdictions is that encourage utilizing existing towers. So they wanted to utilize existing structures instead of building a new structure.

Doug Picard, engineer representing Verizon Wireless stated this is not a microwave tower nor is it a high power tower. Microwave is not cellular technology, it operates at a much higher frequency and it is point to point communications and is not designed to cover a wider area like cellular. The number of antennas that are being asked for is also negotiable. The amplifier they use is low powered technology and only puts out 27 watts and this is not considered a safety hazard and is only 1% of the Federal standard.

Margaret Fahnestock, resident, opposes the project because it will adversely impact the neighborhood character, cause aesthetic impacts and present health risks to her family. She indicated that they collected 137 signatures form the neighborhood in opposition to the project.

Tom Borek, homeowner and builder in Tahoe, stated that he is opposed to this new cell phone tower which is directly in his backyard because of the height of the structure, scenic impacts, the location of the tower in a residential area, aesthetic blight, noise, and encroachment issues related to access.

Gentlemen refused to give his name on account of the power of the cellular industry. He wants all of the Board to do their homework and read what Dr. Robert Becker, who is the foremost doctor and researcher on this subject says.

Bob Wolf stated this sounds like a no-brainer and asked the Board to come up with another plan – it is inappropriate to put a massive structure in a neighborhood.

Ms. Aldean moved approval of the findings contained in Section E of this staff summary and a finding of no significant environmental effect.

Voted No: Ms. Bresnick, Ms. Aldean, Mr. Lawrence, Mr. Merrill, Mr. Waldie, Mr. Galloway, Mr. Miller, Ms. Motamedi, Ms. Santiago, Mr. Ruthe, Ms. Moss, Mr. Swobe, Mr. Kranz, Mr. Weber

Motion failed.

Ms. Aldean stated that in view of the vote she would like to further defer to staff and ask that they prepare the findings to support the denial.

Ms. Moss stated that with the denial of the project, her concern is based on the testimony that was received and the hand out information, that this is an intensification of a use which is not appropriate for this residential area. It is injurious to the enjoyment of the adjoining properties and she believes that the Board should not add to a potential nonconforming use in terms of compliance under an existing special use permit when there are questions regarding legal access.

Public Comment:

Laurie London lives two houses down from the proposed tower and asked the Board to keep in mind if they would want this tower two houses down in their neighbor. What she has seen on our website as to the health risks as she understands it, is undetermined. Based upon this, TRPA is not going to say that this is a health risk to our children. She asked what if there is a health risk and even though we don't know about the health risks, is it worth putting this tower in a residential neighborhood. She wants to know where there is a similar tower in a residential neighborhood. Most areas request that these kinds of towers be away from residential neighborhoods. There is no other tower in this area and why are we putting it in a residential neighborhood and if you answer that question and give her an answer other than Verizon wants it, and if that is the only reason, then you should be saying Verizon you can't put it there. They have a lot of money and they can find somewhere else. They are interested in the people in this community. If the purpose of the tower is public communication, she doesn't think improved cell phone service is worth the compromise to the environment, the people in the community and to their children. Once again, if you can give a reason why this should be put in a residential neighbor other than it is convenient for Verizon; then maybe there is a reason to approve this project. But she hasn't seen that reason offered. She would ask that the Board articulate their reasons when they vote on this project.

Joe Hays does not support the project because of health and safety concerns. He thinks that it is interesting to hear talk about mitigating old growth and now we want to mitigate new growth. Accordingly to the environmental check list, this proposal will not result in any health hazards or potential hazards. They respectively disagree. Even though the Bush-Berg report indicated radio frequency emissions from the projected antenna did not exceed the FCC telecommunication standards, they have serious concerns about the current FCC standards. As radio links become more common and possible effects of radio frequency exposure to people and places, they have serious concerns about this. Over the past several years, there have been several concerns about signals from radio frequency devices could interfere with medical procedures such as chemotherapy. He had a family member with cancer and need chemotherapy and the Doctor indicated that he needed to stay away from radio frequency devices such as microwave ovens. Also with pace makers, certain sections of the hospital will ask you to turn off any radio frequency emissions. So if they are saying that, then maybe there is some danger from these radio frequencies. He feels that the FCC should get together with the Federal Drug Administration and start studying these radio frequency emissions. Initially asbestos, radon, X-rays and MTBE were not considered dangerous and of course we all know that MTBE has definite health concerns. Health concerns are very important to the community as many children live in the area and we don't want to expose their health and safety to these radio emissions. Since research is still ongoing, they consider this a potential health hazard and we hope that the TRPA will vote to deny the cell tower. They recognize

the importance of cellular phones but thousand of acres exist around the community so why can't Verizon pick one of those areas where there is no habitation and put the tower there.

Mark Royer, Real Estate Broker, lives in this neighbor and stated that one of the things that is critical for the neighborhood is that right now there are economic difficulties in the market. It is important to realize that we have always considered this an upscale neighborhood and this will have a definitely negative impact on the values of the homes in the neighborhood. For the Board members that live locally, he would ask that they visit the neighborhood and you will see that this is really disturbing. To him it looks like an old Nevada test site from the early 1950's where you would see those dummy houses with the towers and that is what it looks like to the neighborhood. He feels that it affects the thresholds that TRPA has established regarding the scenic corridor and it is not an attractive thing. It will not add anything to the neighborhood and part of their concern is why can't Verizon, as big as they are, with all the land that the Forest Service owns around the lake; why can't they relocate to a similar property that is owned by the Forest Service. There are the issues that will affect their everyday lives in their neighborhood, and that is why the core group from the neighborhood who are primarily homeowners, ask that the Board consider strongly not rubber stamping this project just because it is Verizon.

Phil Cianci lives directly next door and wonders why we need another tower as they already have one that is the mono pole that is red and white. No one told them originally that there was going to be additional antenna put on the original tower. If you knew that the tower belonged to the FAA and they were putting antenna on the pole, would you assume that the antenna was for the FAA. He did and people were trespassing across his property to access the water tower. The water tower is next door to the mono pole and the mono pole is already full of cell phone equipment that they had no knowledge of. This was supposedly installed in 1997 and he has been suffering trespassing issues for 10 years. Verizon says they don't need his road to access this tower because they would rather park in the driveway 50 or 50 feet away and walk up a set of stairs to the tower instead of driving right up the road to the tower. If you were a group of workers, which way would you go? He will have more trespassing issues whether he likes it or not if the Board approves this permit. On the findings list it states that it will not disturb the neighbors, well he is disturbed. It also says it will not be injurious or disturbing to the health, safety or enjoyment of the property or general welfare of persons; he is a person and he is disturbed. He thinks that findings are very false. Finding number 6 is very false as it says that the project to which the use pertains will not change the character of the neighborhood or detrimentally affect or alter the purpose of the applicable plan area statement community plan specific master plan as the case may be; that is false as that is not what our neighborhood is set up for. He doesn't think that findings number 4 is particularly true either. His bedroom is about 50 feet away from where they are going to put two-5-ton air conditioning units that make a lot of noise. As for health issues, there is

always a chance that they are wrong and this stuff is creating cancer, etc. and he feels like an unwilling participant of a future study. Two people who lived in this house where they want to put the tower have died of cancer while living there.

Jon Paul lives on Skyline Drive and stated that findings number 5 and 9 states that the project to which the use pertains will not be injurious or disturbing to the health, safety and enjoyment of property; the neighborhood is a beautiful area where his family likes to take walks and ride their bikes and it is a very safe, scenic residential area and this proposed new tower will affect the ability to enjoy their property in many ways. It is already causing unrest due to the fear of decreased property values which will obviously occur. They are fearful of the possibility that they will be facing unnecessary health risks due to increased exposure to this technology. In doing their research, all the research that they have found that states that there are no health risks, have been directly funded by the cell phone companies. There are websites by third parties that there are obvious issues. The tower will be a physical eyesore demolishing the enjoyment of their daily lives and their activities. The sound of the cooling systems which are located outside; anyone near them will definitely hear them like it or not. The increase in traffic related to the work trucks that will need to maintain the site will be a very real safety hazard for their children. This is a residential area and will absolutely cause undue anxiety and concern for them as responsible parents. Cell phones are a convenience and not a necessity. This may be the easiest place to build this tower, but it is not the right place.

Steven Havill, business owner and resident of the West Shore, stated that he represents all residents on environmental stewardship and he thanks the Governing Board for their patience and the time it has taken today. He is opposed to the placement of a mega tower in a residential community. The TRPA is focused on community, quality of life and the nature of our environment as being a core component of our economy. With regard to the safety that has been brought up, he encourages the Board to obtain a healthy awareness of what this issue is, not just with this tower, but the bigger issue of what is called electro-pollution. Understanding how this not just applies to this particular project, but a lot of things that are going to be in front of you in the years to come and you will be hearing a lot about these issues. The newest research is very different from the documentation that you have been provided with and his concern is that the documentation that you are basing your opinion on is provided by an industry supported consultant. This isn't about right or wrong but about getting to the facts and that is his intention. The research that is available says that there are significant health impacts of cell phone radiation or electro-pollution. It includes various cancers, especially brain, eye, ear and leukemia, miscarriages, chronic fatigue, chronic stress, nausea, heart problems, autism, learning disabilities and insomnia. This has to do with the fact that we are dealing with an energy source that is completely new. It has been noted by scientists as the greatest health concern of the twenty-first century. This is a virtually unregulated industry from a health and safety monitoring

standpoint. There has never been pre-market testing for cell phones. He gives very little credence to industry sponsored research and he sees this as not a pro-technology or anti-technology issue; but he is advocating safe wireless solutions.

Mike Fahnstock, resident, stated that this is capitalism at its best and they have found a cheap place to put this. It is grandfathered in from 1983 and the microwaves are not good. His house sites directly in line with the microwaves and the microwaves and the human are not well. That's why the microwaves in themselves, you don't stand next to them. Special use permits for this in a residential neighborhood is not a good thing. There are many mountains, buildings and areas in Lake Tahoe that these towers could go but this is a very simple way for a cell phone company to cheaply throw in cell phone coverage for the area. The neighborhood of 130 signatures that are against this project and only three were for it. He doesn't want this in his neighborhood and pointed at his family.

Tom Hintz, lives on Skyline Drive, and stated that he was concerned about how the initial checklist was prepared. Two items he is concerned about is a safety issue and an energy issue, which are on the environmental checklist. The current tenant in the home has complained about the circuit breakers in the house continually go off because of the existing equipment that is there. He is in the fire protection business and with the recent fire that they had in the neighborhood and the local fire department came on the scene and they hooked up to the closest hydrant and there was very little water pressure. With the addition of more equipment into the garage, they are looking at an increase in the potential for a structure fire and their current fire protection district is pretty stretched to the limit. There will be an increase in energy use and safety concerns which were not addressed in the initial study.

Erin Merrill representing Verizon Wireless stated that there is a huge concern on the proliferation of towers. What was attractive to this parcel is that there is currently a structure already there and from their history of dealing with different jurisdictions is that encourage utilizing existing towers. So they wanted to utilize existing structures instead of building a new structure.

Doug Picard, engineer representing Verizon Wireless stated this is not a microwave tower nor is it a high power tower. Microwave is not cellular technology, it operates at a much higher frequency and it is point to point communications and is not designed to cover a wider area like cellular. The number of antennas that are being asked for is also negotiable. The amplifier they use is low powered technology and only puts out 27 watts and this is not considered a safety hazard and is only 1% of the Federal standard.

Margaret Fahnstock, resident, stated that they collected 137 signatures against the project and this would be hazardous and disturbing to their families' health and she would not want her girls to get cancer because of

this. This should never be allowed in a neighborhood and to take up residence in a home as it is unethical and disturbing and is most definitely not an appropriate site for a cell phone tower. This is an eyesore at best and not consistent with other residences in their neighborhood. This parcel is contaminated and they ask that the Board reject this proposal and find a solution that all can live with and be proud of as the risks outweigh the benefits.

Tom Borek, homeowner and builder in Tahoe, stated that he is opposed to this new cell phone tower which is directly in his backyard. He had to comply with strict codes when he built on his property. There were height restrictions which resulted in his driveway having a 9% slope which makes it very difficult for him to use in the wintertime. He had to comply with the scenic corridor issue on both of his home which is located next to the proposed tower which can be seen from Highway 50 and Pioneer Trail. He wants to know how Verizon is able to violate this TRPA codes in a residential area. He is concerned with the resale value of his properties and the health issues to mention a few. This tower is in view of all his windows in the rear of his home. It will be a visible eyesore to everyone in the neighborhood. The noise from the AC units will be disturbing and will limit the enjoyment from both his homes. He feels that there needs to be an investigation on encroachment issues to the access road from these companies. He is trying to maintain the Tahoe lifestyle that they moved here for and now with health concerns, noise and a visual nuisance of this proposed tower, he will not be able to do that.

Gentlemen refused to give his name on account of the power of the cellular industry. He wants all of the Board to do their homework and read what Dr. Robert Becker, who is the foremost doctor and researcher on this subject says.

Bob Wolf stated this sounds like a no-brainer. He is a resident but doesn't live close to this but he knows that single family zoned properties would be like any of you having this massive structure go up next to your house and he thinks the Board should ask Verizon to come up with another plan. Lake Tahoe is a mess of things like this where people throw things up and then you have to live next door to it.

PC 12/11/14
#3
2 pages

November 20, 2014

To:
County of El Dorado Planning Services
2850 Fairlane Court
Placerville, CA 95667

Attn: Mr. Joe Prutch & Eldorado Planning Commission.

Re: Special Use Permit S14-0009/AT&T Cell Tower Skyline Drive – parcel# 081-102-01

Dear El Dorado Planning Commission, Mr. Joe Prutch, or To Whom It May Concern:

As a resident and homeowner in the area, I am strongly opposed to the placement of another Cell Tower in our neighborhood. Not only am I opposed to the addition of a new Cell Tower, but I advocate the removal of the pre-existing one on the adjacent parcel. The last thing we need in our residential neighborhood is another Cell Tower.

Long term health effects are still an unknown factor regarding Cell Towers.

They most likely are harmful, especially to children, infants and or pregnant woman. Can you guarantee that there are no negative health effects? Can you guarantee that there will not be other harmful health effects discovered in the future? We as residents do not want to be lab rats and most likely have to suffer the consequences at a later date.

There should be no cell towers in a residential neighborhood with so many small children always playing outside, nearby or next to a Cell Tower. Certainly, there are so many other open spaces in the area that would be much safer.

A residential backyard is an unacceptable location for a Cell Tower!!

I speculate, that the owner of the proposed parcel is being monetarily compensated to allow such an unsafe proposal. Besides this particular owner/resident, I am confident that after talking to several neighbors, that there are **NO** other nearby residents or homeowners that would be in favor of another Cell Tower in our neighborhood! **Not only is it more likely than not to cause harmful health affects, but it will cause a loss of value to the homes in this residential area!**

If you allow the passage of this Special Use Permit, and it is confirmed at any time now or in the future, that Cell Towers can be harmful in any way, I (and all other Homeowners that I have spoken to) will hold the planning commission and or any Individuals associated with the passage of this Special Use Permit, responsible and therefore proceed with a class action lawsuit.

NOV 20 AM 10:56
RECEIVED
PLANNING DEPARTMENT

Please ask yourself this: (and please truthfully answer)

**Would you want YOUR pregnant wife anywhere nearby this Cell Tower?
Would you yourself, want to do yard work all day next to this Cell Tower?
Would you allow YOUR small children to play by or next to this Cell Tower?
Surely, the intelligent answer is NO!**

Or, are you advocating that everyone stay indoors at all times?

So then why should we, as residents, allow this?
Especially, since no residents and or homeowners are in favor of it, except of course, possibly AT&T or any other person or agency being monetarily compensated.

We are the taxpayers and we demand that this Special Use Permit NOT be granted. I am confident that AT&T can find a safer non-residential location.
I see many nearby empty hilltops with no homes located on them.

Respectfully,



Mr. John Ellen
Homeowner/Resident
Crystal Air Drive
South Lake Tahoe, CA 96150
(650) 340-8689

CC: Country Club Estates Residents,
South Lake Tahoe, CA 96150

PC 12/11/14
#3

Penelope Lynne
1661 Skyline Drive
South Lake Tahoe CA 96150
November 18, 2014

County of El Dorado Planning Services
2850 Fairlane Court
Placerville, California 95667

To Whom It May Concern,

I am writing in regards to a letter I received about the Special Use Permit **S14-0009/Cell Tower Skyline Drive**. I want to go on record as a resident of this area who protests the proposed structure of a wireless 113-foot structure with accompanying antennas, equipment shelter, related ground equipment, HCAV units, sound barrier walls and wood fence, on the property identified by Assessor's Parcel Number 081-102-01.

There is ongoing research about the threat to human safety and health from such structures. Since the arguments pro and con are abundant, I cannot understand why our residential neighborhood should allow such a risk to be present where we are living. I also am concerned that these structures are known to lower property values. Living in the mountainous area as we do, I trust there are other less-populated sites that can be used by New Cingular Wireless.

Thank you for the opportunity to protest this event. I also plan to attend the public hearing on December 11, 2014 and appreciate the opportunity to protest in person.

Sincerely,



Penelope Lynne

RECEIVED
PLANNING DEPARTMENT
NOV 20 AM 11:54